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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/593,151

09/18/2006

Uno Persson

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JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

EXAMINER

MCDUFFIE, MICHAEL D

ART UNIT

PAPER NUMBER

3632

MAIL DATE

DELIVERY MODE

04/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/593,151	Applicant(s) PERSSON, UNO	
	Examiner MICHAEL MCDUFFIE	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3632

This correspondence is in response to applicant's reply filed on 01/07/2009. Claims 1-10 are pending.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

Claim 1 is objected to because of the following informalities: line 2 states, "at least one to a wall surface attachable supporting profile..." For clarity, the Examiner recommends removing the terms "to a" from the statement. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teramachi et al. (PCT No.: JP0413901) in view of Kesinger (U.S. Patent No.: 6131866).

Regarding claim 1, Teramachi discloses a wall mount structure for an image display screen, comprising at least one to a wall surface attachable supporting profile **20** with a longitudinally extending outwardly open through groove **23**, characterized in that at the rear side of the display screen **1** existing mounting holes are used for attachment of interconnecting means **3** by means of a screw thread (see paragraph [0025]), the interconnecting means **3**, during a sliding movement in longitudinal direction of the at least one supporting profile **20**, being arranged to take up an interconnected condition with the at least one supporting profile **20**.

Teramachi is discussed above, and fails to teach where his interconnecting means includes a cylinder part having a diameter exceeding a width of the through groove, with a partly surrounding groove. Kesinger discloses a mounting device with a profile **12** with an interconnecting means **14**, where the interconnecting means **14** includes a first cylindrical part **32** having a diameter exceeding a width of the through groove **18** arranged to grip at least one vertically extending part **26** that is in one piece with the at least supporting profile **12**.

With regards to claim 2, Teramachi teaches the wall mount structure, characterized in that a first stop means **15** is arranged at the end portion of supporting profile **20** where against the interconnecting means **3** to be connected to the profile **20** is slid during a mounting operation.

Regarding claim 3, Teramachi goes on to teach the wall mount structure, characterized in that a second stop means **15** is arranged attachable at the end portion of supporting profile **20** which is opposed to the location of the first stop means **15** (see discussion in paragraph [0035]).

With regards to claim 4, Teramachi further teaches the wall mount structure, characterized in that the attachable second stop means **15** is of a lockable type (see last sentence of paragraph [0035]).

Regarding claim 5, Teramachi discloses the wall mount structure, characterized in that two supporting profiles **20** are arranged extending substantially horizontal at the wall surface in a spaced relationship to each other corresponding to the height relationship for existing mounting holes at the rear side of the display screen **1**.

With regards to claim 6, Teramachi teaches the wall mount structure, characterized in that two supporting profiles **20** are capable of being arranged extending substantially vertical at the wall surface in a spaced relationship to each other corresponding to a sideways relationship for existing mounting holes at the rear side of the display screen **1** (see discussion in paragraph [0010]).

With regards to claim 7, Teramachi teaches the wall mount structure, characterized in that the supporting profiles **20** are arranged having a recess **24** facilitating that in the insertion direction for the interconnecting means **3** leading interconnecting means **3** receive engagement with the supporting profiles **20** at a position more adjacent to the stop means **15** than opposed end portions of the profiles **20**.

Regarding claim 8, Teramachi goes on to teach the wall mount structure, characterized in that the interconnecting means **3** include a groove **12**, arranged to grip at least one vertically extending part of the supporting profiles **20**, and to define a distance to the heads of the screws whereby the profiles **20** are attachable against the wall surface.

With regards to claim 9, Teramachi further teaches the wall mount structure, characterized in that the interconnecting means **3** includes a first part **11**, a completely or partly surrounding groove **12**, a second part **21a** extending from the first part **11** in direction towards the display screen **1**, an extending through hole, and a through the hole extending screw, attachable at the mounting holes existing at the rear side of the display screen **1** (see discussion in paragraph [0025]).

Regarding claim 10, Teramachi discloses the wall mount structure, characterized in that the profiles **20** have a substantially U-shaped configuration with the free end portions bent over in direction towards each other, thereby defining an outwardly open groove between the free edge portions.

It would have been obvious to one having ordinary skill in the art at the time of the invention, to utilize the interconnecting means of Kesinger with the mounting device of Teramachi, in order to permit longitudinal slidable movement along the track so as to permit placement of the hanging element and slide member at a desired location along the track and prevent their displacement along the track from the desired location, as taught to be desirable by Kesinger (see cols. 1, lines 50-67, and col. 2, lines 1-4).

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

In addition to the above reference to Teramachi, the Examiner submits the Notice of References Cited, which discloses other devices capable of mounting objects on a wall, including the reference of Kesinger.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL MCDUFFIE whose telephone number is (571)272-3832. The examiner can normally be reached on Mon.-Fri., 7AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Shriver can be reached on 571-272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael McDuffie/
Examiner, Art Unit 3632
31-Mar-09

/J. ALLEN SHRIVER II/
Supervisory Patent Examiner, Art Unit 3632